

**Senate Study Bill 1015 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
PUBLIC HEALTH/BOARD OF  
MEDICINE BILL)

**A BILL FOR**

1 An Act relating to the Iowa information program for drug  
2 prescribing and dispensing.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.553, subsection 6, Code 2013, is  
2 amended to read as follows:

3 6. a. ~~Nothing in this section shall require a~~ A pharmacist  
4 or prescribing practitioner ~~to~~ shall obtain information about  
5 a patient from the program before prescribing or renewing  
6 a prescription for a controlled substance or filling a  
7 prescription for a controlled substance if the pharmacist or  
8 prescribing practitioner believes or has reason to believe that  
9 a patient is at risk of controlled substance diversion, misuse,  
10 or abuse. The licensing board of a pharmacist or prescribing  
11 practitioner may adopt rules to implement this subsection.

12 b. A pharmacist or prescribing practitioner ~~does not have~~  
13 ~~a duty and~~ acting reasonably and in good faith shall not be  
14 held liable in damages to any person in any civil or derivative  
15 criminal or administrative action for injury, death, or loss  
16 to person or property on the basis that the pharmacist or  
17 prescribing practitioner did or did not seek or obtain or use  
18 information from the program. A pharmacist or prescribing  
19 practitioner acting reasonably and in good faith is immune from  
20 any civil, criminal, or administrative liability that might  
21 otherwise be incurred or imposed for requesting or receiving or  
22 using information from the program.

23 EXPLANATION

24 This bill relates to the information program for drug  
25 prescribing and dispensing (Iowa prescription monitoring  
26 program).

27 The bill requires a pharmacist or prescribing practitioner  
28 to obtain information about a patient from the information  
29 program for drug prescribing and dispensing before prescribing  
30 or renewing a prescription for a controlled substance if the  
31 pharmacist or prescribing practitioner believes or has reason  
32 to believe the patient is at risk of drug diversion, misuse,  
33 or abuse. However, the bill provides that a pharmacist or  
34 prescribing practitioner who acts reasonably and in good faith  
35 is not liable for damages on the basis that the pharmacist or

1 prescribing practitioner did or did not seek information from  
2 the program.

3 The bill allows the licensing board of a pharmacist or  
4 prescribing practitioner to adopt rules to implement the bill.

5 The bill also strikes provisions relating to pharmacist or  
6 prescribing practitioner liability.